

DOCKET NO. TOS-162-USA-PCT

REMARKS

Claims 2, 4 and 5 have been rewritten to correct grammatical errors, and obviate the rejection. Support for the amendments to claims 2, 4 and 5 can be found in the Specification in the paragraph bridging pages 4 and 5, and in the fourth paragraph on page 13. The present amendment is deemed not to introduce new matter. Claims 2, 4 and 5 remain in the application.

Reconsideration is respectfully requested of the objection of Claim 4. Claim 4 has been amended herein to correct the improper spelling of "denote". As such, it is believed that the objection is now moot. Withdrawal of the objection is accordingly respectfully requested.

Reconsideration is respectfully requested of the rejection of claims 2, 4 and 5 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

With respect to the terms "a", "b" and "c" in the claims and the specification, these terms do not specifically represent numerical elements, but rather serve to distinguish and define the separate function groups, or "repeating units", making up the claimed polysiloxane. In particular, in the paragraph bridging pages 4 and 5 of the instant Specification, it is stated that "the present invention provides a polysiloxane having repeating units represented by the following formulas (5), (6), and (7) obtained by introducing the phosphorylcholine group represented by said formula (1) to some or all of the amino groups of amino-modified polysiloxane having repeating units **a and b or repeating units a, b, and c** represented by the following formulas (2), (3), and (4)."

The second paragraph on page 13 of the instant Specification further states that "**a, b,**

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and c denote constituent units of the polysiloxane, that is, the polymer has a units, b units, and c units. Other constituent units may be contained in addition to polymers composed only of a units and b units and polymers composed only of a units, b units, and c units. Also, a units, b units, and c units may either be arranged in a random fashion or in blocks.

Further, optionally, the terms a, b and c may define the molar ratios of the particular constituent. In support of same, the fourth paragraph on page 13 of the instant Specification states that "[w]hen a, b, and c are represented by numbers, they denote molar ratios (polymer composition) of the corresponding constituent units."

In view of the above, it is believed that the Specification does, in fact, clearly define the terms "a", "b" and "c" claimed herein. To further clarify the parameters of "a", "b" and "c", claims 2, 4 and 5 have been amended herein. In view of such amendments, it is believed that the claims now comply with the written description requirement. Accordingly, it is believed that the Examiner would now be justified in withdrawing this rejection. Withdrawal of the rejection is accordingly respectfully requested.

In view of the foregoing, it is respectfully submitted that the application is now in condition for allowance, and early action and allowance thereof is accordingly respectfully requested. In the event there is any reason why the application cannot be allowed at the present time, it is respectfully requested that the Examiner contact the undersigned at the number listed below to resolve any problems.

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Respectfully submitted,

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CERTIFICATE OF TRANSMISSION

I hereby certify that this 11-page Amendment in Docket No. TOS-162-USA-PCT, Serial No. 10/534,399, filed May 10, 2005, is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 571-273-8300) on December 7, 2007.

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